

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SHAUN DARNELL GARLAND,

Plaintiff,

v.

KATHLEEN ALLISON, et al.,

Defendants.

No. 2:21-CV-0796-JAM-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983.

The action currently proceeds on the first amended complaint. On October 25, 2021, Plaintiff filed a motion for leave to amend. See ECF No. 21. On November 12, 2021, Defendants filed a motion to vacate the deadline to file a response to the first amended complaint pending the Court's ruling on Plaintiff's motion for leave to amend. See ECF No. 22. Defendants filed their opposition to Plaintiff's motion for leave to amend on November 15, 2021. See ECF No. 23. Defendants' motion to vacate the deadline to respond to the first amended complaint was granted on November 24, 2021. See ECF No. 24. On November 29, 2021, Plaintiff filed a notice of withdrawal of his motion for leave to amend. See ECF No. 25.

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1 Given Plaintiff's withdrawal of his motion for leave to amend, there is no need for
2 the Court to rule on that motion and the Court will hereby set a deadline for Defendants to
3 respond to the operative first amended complaint.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The Clerk of the Court is directed to terminate Plaintiff's motion for leave
6 to amend, ECF No. 22, as a pending motion; and

7 2. Defendants shall file a response to Plaintiff's first amended complaint
8 within 60 days of the date of this order.

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10 Dated: December 2, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE